

AG Contract No. KR95 1459TRN
ADOT ECS File No. JPA 95-118
Project: P0300 01P
Section: Small Area
Transportation Study

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF LAKE HAVASU CITY

THIS AGREEMENT is entered into 17 October, 1995,
pursuant to Arizona Revised Statutes, Sections 11-951 through
11-954, as amended, between the STATE OF ARIZONA, acting by and
through its DEPARTMENT OF TRANSPORTATION (the "State") and the
CITY OF LAKE HAVASU CITY, acting by and through its MAYOR and
CITY COUNCIL (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes
Section 28-108 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has delegated
to the undersigned the authority to execute this agreement on
behalf of the State.

2. The City is empowered by Arizona Revised Statutes
Section 48-572 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has
authorized the undersigned to execute this agreement on behalf
of the City.

3. The State and the City desire to participate in
conducting a Lake Havasu City small area transportation study,
to develop and formulate a transportation improvement program
of street and roadway construction projects, all in accordance
with Exhibit A, which is attached hereto and made a part
hereof, at an estimated cost of \$30,000.00, hereinafter
referred to as the Project.

THEREFORE, in consideration of the mutual agreements expressed
herein, it is agreed as follows:

NO. <u>20237</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>10/17/95</u>
<u>Jane Lee Hunt</u> Secretary of State
By <u>Vicky Greenwald</u>

II. SCOPE

1. The State will:

a. Participate with the City in the selection of a professional transportation planning consultant to accomplish the Project.

b. Review Project progress reports and submittals and provide comments to the City or the consultant as appropriate. Review and approve the final report prior to the City's final payment to the consultant.

c. Contribute a maximum of \$30,000.00 to the Project. Be responsible for any consultant claims for extra compensation attributable to the State.

d. No more often than monthly, reimburse the City on an actual cost basis, in a total amount not to exceed \$30,000.00, within thirty (30) days after receipt and approval of invoices.

2. The City will:

a. Using State approved procedures advertise for, and with the concurrence of the State, select and hire a professional transportation planning consultant to accomplish the Project. Be the lead agency for the Project.

b. Provide the State timely copies of the Project progress reports and submittals, and insure the incorporation of State review comments. Provide the State a copy of the final report, and obtain the State's approval prior to making final payment to the consultant. Accept the final report on behalf of the parties hereto.

c. Be responsible for all costs over and above the State's \$30,000.00 share, and for any consultant claims for extra compensation attributable to the City.

d. No more often than monthly, invoice the State on an actual cost basis, with no profit or fee, in an amount not to exceed \$30,000.00, for the State share of the Project.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project and reimbursements; provided, however, that this agreement may be cancelled at any time prior to the award of a consultant contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

City of Lake Havasu City
City Manager
1795 Civic Center Blvd.
Lake Havasu City, AZ 86403

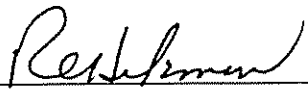
7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

CITY OF LAKE HAVASU CITY

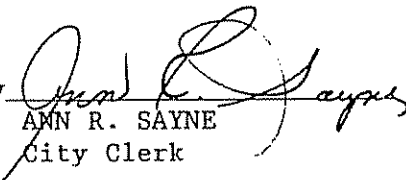
STATE OF ARIZONA

Department of Transportation

By 
RICHARD L. HILEMAN
Mayor

By 
JAY KLAGGE, Director
Transportation Planning

ATTEST

By 
ANN R. SAYNE
City Clerk

SCOPE OF WORK

Minimum work tasks are as follows:

1. **Detailed Proposal** -The intent of this Small Area Transportation Plan Update is to refine and revisit those areas which require emphasis as a result of the actual and anticipated population, employment changes and roadway improvements that Lake Havasu City has experienced over the past five years. The first work task will be to present a detailed work plan to the TAC for review and comment. Accompanying the task will be work flow charts, time schedules, map of study area boundaries, average daily traffic and turn-movement count locations, and all major street and highways to be included in the study. The next step will be to develop the transportation vision statement and identify several transportation goals with numerous objectives for each goal.

2. **Current Conditions** - Lake Havasu City will provide the following data:

- Base maps for 1990 aerial photography
- 1995 census data by census tract (population and employment)
- Population and employment forecasts
- Land use changes since completion of the previous study
- Current turn-movement and traffic counts
- Street and traffic control inventory (number of lanes, pavement type, stop signs, traffic control)
- Verify ADOT's accident history against police records
- Reproduce all distribution materials for Open House/Public Meetings including graphic arts and display panels
- Advertise and provide meeting facilities for all Open House/Public Meetings
- Staff and present distribution materials at two Open House/Public Meetings

The 1991 Small Area Transportation Plan will serve as the starting point for these evaluations. In addition, Lake Havasu City will be conducting a census count in 1995 to update population and employment data.

Travel behavior and demand will be estimated and documented utilizing TRANPLAN as the forecasting software for highway planning.

Necessary background information on current land use patterns, travel data and behavior, street conditions, financial resources, demographic and socio-economic characteristics will be inventoried and evaluated as follows:

Current land use patterns will be documented and analyzed with attention focused on key transportation demand variables such as, but not limited to, population (resident, seasonal, and tourists) and employment. Also, existing and planned special traffic generators which will include

gaming at the Chemehuevi Indian Reservation (California-side of Lake Havasu), and high density urban development on Pittsburg Point.

By analyzing the above information, as well as input from local leaders, individuals and the Committee, the consultant will document the current principal transportation problems and concerns in study area. Documentation will consist of a working paper and floppy diskettes submitted to the committee. Statistical data will be documented on diskettes using a data-based manager and spreadsheet application software which is MS-DOS compatible.

3. **Future Conditions** - Utilizing TRANPLAN as the forecasting software to estimate future conditions and infrastructure requirements. Identify for the five, ten and twenty year planning periods the estimated conditions and requirements. In order to forecast travel demand, future land use patterns will need to be developed. This will require review of development concepts and plans, critique of the general land use plan and the consultant's creativity with transportation as a marketing tool to enhance economic development. The future land use patterns should be in accord with the communities' water supply and with projections of population and employment.

Land use projections will be translated into projected travel demands. Potential problem areas will be identified.. Logical connections to enhance motorized circulation shall be recommended. Suggested improvement actions will be identified, cost estimates and time schedules developed.

Financial alternatives necessary to implement the short, "mid" and long range plans will be identified. Alternatives are to include but not limited to: Highway Users Revenue Fund (HURF), Surface Transportation Program (STP), Local Transportation Assistance Fund (LATF), County Transportation Excise Tax, special districts, methods of private/public involvement, and developer contributions. Evaluate the potential revenue for each financial option.

By analyzing the above information, as well as input from local leaders, individuals and the Committee, the consultant will document the future principal transportation conditions, infrastructure requirements, and issues in the study area.

Documentation will consist of a working paper submitted to the TAC which lists each route by segment showing the calibration results and the forecast volumes by year. The network inputs and outputs are to be contained on floppy diskettes which are MS-DOS compatible. The working paper and accompanying floppy diskettes submitted to the TAC shall be in Microsoft Word 6.0 format. Statistical support data will be submitted on diskettes using either a data base manager or spreadsheet application software which is MS-DOS compatible.

4. **Special Topics** - To aid in identification and implementation of solutions, specific special topics of local concern shall be addressed. Many of the special topics can be analyzed as part of the analysis, the following list represents issues that are of concern to the Committee:

A. Policy recommendations on access control measures for existing and proposed major arterial roads including SR 95 between mile post 175 and 191, recommendations to include traffic controls, curb cuts, frontage roads and effects on transportation system and future land use developments.

B. Review, develop and recommend standards/policies for developer contribution to transportation system.

C. Identify potentially hazardous locations (i.e., sight distance, intersection alignment, street lighting, left turn locations, signing) and improvement recommendations.

D. Creation of traffic analysis zones for potential bridges serving California (Chemehuevi) / Arizona, a potential bridge serving Pittsburg Point (Channel / Island), and the potential SR 95 Bypass Corridor.

5. **Alternative Actions** - Alternative actions to meet short, "mid" and long range infrastructure requirements will be developed. These options will be evaluated by a set of criteria which will include, but not limited to: environmental issues, community support, public development goals, private development responsibilities, improvements in levels of service and safety, project costs, return on investment and financial resources.

A list of specific project actions will be developed for the next five years which will address current problems and short term requirements. These projects will be prioritized and correlated to financial options. A recommended five year transportation improvement program is required. "Mid" and long range alternatives will include but not limited to: right-of-way acquisitions, new facilities, street widening and traffic control measures. The "mid" and long range program of projects will be correlated to financial options.

Documentation will consist of a working paper and accompanying floppy diskettes submitted to the TAC in Microsoft Word 6.0 format. Alternative action statistical data will be documented on diskettes using either a data base manager or spreadsheet application software which is MS-DOS compatible.

6. **Public Participation** - The consultant shall solicit and document public input. This will include interviews with elected officials, planning commission members, and representatives from the Council of Governments, Chambers of Commerce, Bureau of Land Management, Indian Tribes, civic and environmental clubs, and others as appropriate. Applicable working papers may be mailed to such representatives to solicit comments.

Prepare the necessary materials to support at least three Open House/Public Meetings. Support to include study purpose, study progress, current activities, transportation issues, opportunities, problems and key findings. Develop procedure to record public comment and document follow-up actions as to how the comments are handled. At least one public meeting must be held and staffed by the consultant in conjunction with a regular Planning and Zoning Commission and/or meeting of elected officials at the draft final report stage. Document the public participation process.

7. **Study Products** - Required products include a transportation plan and a transportation improvement program (TIP). The transportation plan should describe policies, strategies, and facilities to accommodate current and future travel demands and to make efficient use of the existing transportation system. Identify facilities that function as an integrated system with emphasis to State and regional facilities functions. Demonstrate through the financial plan element how the transportation plan can be implemented.

The TIP is to identify specific projects which are prioritized over a five year period and is to be consistent with the transportation plan. The Transportation Improvement Program will list all projects by their administration jurisdiction and will include route name, begin-end termini, year needed, total length, estimated cost, constant or current dollars, source of cost estimate, current/forecast ADT, problem(s) and solution(s).

Overall emphasis will be given to documenting the identified infrastructure requirements, costs, revenue forecasts, benefits and financing of recommended transportation actions for both products. Special consideration shall be given to methods of implementing the plan, such as procedures to protect future rights-of-way, approaches to maintain levels of service and financing measures.

Documentation will consist of integrating the approved working papers and major products into the final report. Documentation to also include submission of floppy diskettes to the TAC in Microsoft Word 6.0 format. Statistical data will be documented on diskettes using either a data base manager and spreadsheet application software which is MS-DOS compatible.


The final report will be designed to serve as the transportation and circulation element of the General Plan. An executive summary will also be prepared.

Note: The final report is to receive concurrence by ADOT and acceptance by City prior to final payment.

RESOLUTION

BE IT RESOLVED on this 6th day of July 1995, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with the City of Lake Havasu for the purpose of defining responsibilities for a small area transportation study.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Manager, Transportation Planning for approval and execution.


for LARRY S. BONINE
Director

RECEIVED

SEP 08 1995

RESOLUTION NO. 95- 1129

PUBLIC WORKS DEPT.

RESOLUTION OF THE CITY COUNCIL OF LAKE HAVASU CITY, ARIZONA,
AUTHORIZING EXECUTION OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN
LAKE HAVASU CITY AND THE ARIZONA DEPARTMENT OF TRANSPORTATION TO
PARTICIPATE IN CONDUCTING A LAKE HAVASU CITY SMALL AREA
TRANSPORTATION STUDY

WHEREAS, Lake Havasu City and the Arizona Department of Transportation wish to establish an Intergovernmental Agreement to participate in conducting a Lake Havasu City Small Area Transportation Study; and

WHEREAS, the purpose of the agreement is to develop and formulate a transportation improvement program of street and roadway construction projects; and

WHEREAS, the City and the Arizona Department of Transportation have the existing powers pursuant to A.R.S. § 11-951, et. seq;

THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the Mayor to execute the necessary instruments to implement the Intergovernmental Agreement between Lake Havasu City and the Arizona Department of Transportation to participate in conducting a Lake Havasu City Small Area Transportation Study, for a cost not to exceed \$60,000 with reimbursement of \$30,000 from Arizona Department of Transportation to Lake Havasu City.

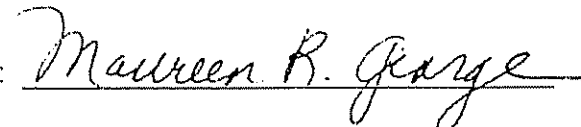
PASSED AND ADOPTED by the Mayor and City Council of Lake Havasu City, Arizona, this 6th day of September 1995.

APPROVED: 
R. L. Hileman, Mayor

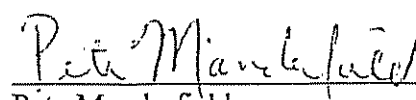
ATTEST:


Ann R. Sayne, City Clerk

APPROVED AS TO FORM
LAKE HAVASU CITY ATTORNEY'S OFFICE.

By: 

REVIEWED BY:

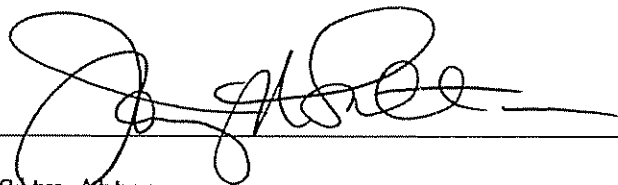

Pete Manderfield
Acting Public Works Director

JPA 95-1118

APPROVAL OF THE LAKE HAVASU CITY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION and the CITY OF LAKE HAVASU CITY and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

DATED this 11th day of September, 1995.



Asst. City Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

MAIN PHONE : 542-5025

TELECOPIER : 542-4085

GRANT WOODS
ATTORNEY GENERAL

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A. G. Contract No. KR95-1459-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 6th day of October, 1995.

GRANT WOODS
Attorney General

A handwritten signature in black ink, reading "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH
Assistant Attorney General
Transportation Section

JRR:lsr
8957G/24